

### REMARKS/ARGUMENTS

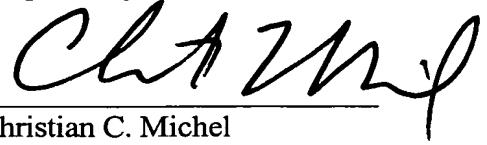
Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of this Amendment, claims 1-3 and 5-7 will be pending.

In the office action, the Examiner rejected claims 1, 2, 4, and 7-9 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,777,956 to Davis. Applicants do not admit that Davis is in fact prior art, and reserve the right to swear behind the reference. The Examiner cited Davis as teaching an apparatus for measuring the fuel amount in a fuel tank including transmission lines and a measuring unit. The measuring unit of Davis measures a capacitance voltage in the transmission lines that varies in accordance with a depth of the fuel. Applicant has amended independent claim 1 to remove the measuring of capacitance voltage, and to clarify that the measuring unit measures a reflective wave of the high-frequency wave supplied to the transmission lines. Amended claim 1 clearly distinguishes over Davis, which teaches measuring a capacitance voltage on the transmission lines. By contrast, amended claim 1 recites measuring a reflective wave of a high-frequency wave supplied to the transmission lines. The amplitude of the reflective wave varies in accordance with an impedance on the transmission lines, and the impedance varies in accordance with a fuel amount in the fuel tank. As the Examiner admits, Davis neither describes nor suggests a reflective wave detecting module. Accordingly, because Davis does not teach elements recited in claim 1, Applicants respectfully request withdrawal of the rejection of independent claim 1, and dependent claims 2 and 7. Claims 4, 8 and 9 have been canceled.

The Examiner also rejected claims 3, 5, and 6 under 35 U.S.C. §103(a) as being unpatentable over Davis in view of U.S. Published Pat. App. No. 2001/0010171 to Atkinson. Applicants respectfully disagree with the Examiner's characterization of the Atkinson reference. Atkinson, while describing a "reflective wave" measurement system, describes a system which transmits *acoustic* energy and measures a reflective wave of an *ultrasonic pulse* at a transducer. The present invention, as recited in amended claim 1, recites a measuring circuit for measuring an amplitude of a reflective wave *of the high frequency wave on said transmission lines*. The amplitude of the reflective wave measured according to embodiments of the present invention varies *in accordance with an impedance of the transmission lines*. The impedance varies in accordance with an amount of fuel in the fuel tank. Neither Davis nor Atkinson teach or suggest a measuring circuit for measuring an amplitude of a reflective wave of the high frequency wave on the transmission lines. Further, the term "impedance of the transmission lines" has no correlation to the *acoustic* reflective wave measuring system of Atkinson. Because neither Davis nor Atkinson describe or suggest a measuring circuit as recited in amended claim 1 of the present application, Applicants respectfully request withdrawal of the rejection of claims 3, 5, and 6.

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'C. Michel', written over a horizontal line.

Christian C. Michel  
Attorney for Applicant  
Reg. No. 46,300

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036  
(202) 659-9076

Dated: June 27, 2005